

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Spirit Broadcasting, Inc.)	File Number: EB-10-NF-0020
)	
Licensee of Station WGTM (AM))	NAL/Acct. No.: 201132640002
Wilson, North Carolina)	
Facility ID # 61929)	FRN: 0009359811

FORFEITURE ORDER

Adopted: October 31, 2011

Released: November 1, 2011

By the Regional Director, South Central Region, Enforcement Bureau:

1. In this Forfeiture Order (“*Order*”), we issue a monetary forfeiture in the amount of twenty-five thousand dollars (\$25,000) to Spirit Broadcasting, Inc., (“*Spirit*”), licensee of Station WGTM(AM), in Wilson, North Carolina, for willful and repeated violation of sections 11.35, 73.49, and 73.3526 of the Commission’s rules (“*Rules*”).¹ The noted violations involved Spirit’s failure to (1) maintain operational Emergency Alert System (“*EAS*”) equipment; (2) enclose an antenna tower, having radio frequency potential at the base, within an effectively locked fence; and (3) maintain and make available a public inspection file.

2. On July 15, 2011, the Enforcement Bureau’s Norfolk Office (“*Norfolk Office*”) issued a Notice of Apparent Liability for Forfeiture (“*NAL*”) in the amount of \$25,000 to Spirit.² Spirit has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 503(b) of the Communications Act of 1934, as amended,³ and sections 0.111, 0.204, 0.311 and 1.80(f)(4) of the Commission’s rules,⁴ Spirit Broadcasting, Inc. **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$25,000 for violations of sections 11.35, 73.49, and 73.3526 of the Commission’s rules.⁵

4. Payment of the forfeiture shall be made in the manner provided for in section 1.80 of the Rules⁶ within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for enforcement pursuant to section 504(a) of the Act.⁷ Payment of the forfeiture must be made by check or similar instrument, payable to the order of the

¹ 47 C.F.R. §§ 11.35, 73.49, 73.3526.

² *Spirit Broadcasting, Inc.*, Notice of Apparent Liability for Forfeiture, 26 FCC Red 10212 (Enf. Bur. 2011).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.204, 0.311, 1.80(f)(4).

⁵ 47 C.F.R. §§ 11.35, 73.49, 73.3526.

⁶ 47 C.F.R. § 1.80.

⁷ 47 U.S.C. § 504(a).

Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payments by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 270000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. FCC Form 159 may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk with any questions regarding payment procedures at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov. Spirit Broadcasting, Inc. shall also send electronic notification on the date said payment is made to SCR-Response@fcc.gov.

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by both First Class Mail and Certified Mail, Return Receipt Requested, to Spirit Broadcasting, Inc. at Hwy 42 West, P.O. Box 3837, Wilson, NC 27895 and 1702 Martin Luther King Pkwy SE, Wilson, NC 27893.

FEDERAL COMMUNICATIONS COMMISSION

Dennis P. Carlton
Regional Director, South Central Region
Enforcement Bureau